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 STRYKER CORPORATION AND STRYKER
 COMMUNICATIONS, INC.

**[ADDITIONAL COUNSEL
 IDENTIFIED ON SIGNATURE PAGE]**

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

KARL STORZ ENDOSCOPY-AMERICA, INC.,

 Plaintiff,

 vs.

 STRYKER CORPORATION and STRYKER
 COMMUNICATIONS, INC.,

 Defendants.

AND RELATED COUNTERCLAIMS

Case No. C 09-0355 (WHA)

~~PROPOSED~~ **STIPULATED DISMISSAL
 OF CERTAIN PATENT RELATED
 CLAIMS AND ORDER**

Honorable William H. Alsup

1 Plaintiff Karl Storz Endoscopy-America, Inc. ("KSEA") and Defendants Stryker Corporation
 2 and Stryker Communications, Inc. (collectively "Stryker"), through their respective counsel of
 3 record, hereby stipulate to entry of the following:

4 1. All claims and counterclaims relating to U.S. Patent No. 6,824,539 ("the '539 patent")
 5 are dismissed WITH PREJUDICE.

6 2. KSEA covenants not to sue Stryker or any of its divisions, subsidiaries, affiliates,
 7 distributors, customers, or successors, based on any claim that Stryker or any of its divisions,
 8 subsidiaries, affiliates, distributors, customers, or successors, directly, indirectly, contributorily, by
 9 inducement, or otherwise infringes any claim of the '539 patent, or any claim of any patent resulting
 10 from a reissue or reexamination of the '539 patent. The covenant not to sue applies to all of Stryker's
 11 past, present and future conduct and products. KSEA also covenants not to transfer any of its rights
 12 to the '539 patent to any person or entity unless that person or entity agrees to these terms.

13 3. This stipulation has no effect on the parties' claims and counterclaims relating to
 14 U.S. Patent No. 5,788,688 and U.S. Patent No. 6,397,286.

15
 16 IT IS SO STIPULATED.

17 Dated: February 14, 2011

18 Respectfully submitted,

19 /s/ Alfredo Bismonte
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 21 Alfredo A. Bismonte
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10 Dated: February 14, 2011

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Stryker Communications, Inc.

CERTIFICATION

I hereby attest that concurrence in the filing of this document has been obtained by the above named signatories.

DATED: February 14, 2011

REED SMITH LLP


By /s/ William R. Overend
William R. Overend
Attorneys for Defendants
Stryker Corporation and
Stryker Communications, Inc.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____ March 1 _____, 2011



Honorable William H. Alsup
United States District Judge

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